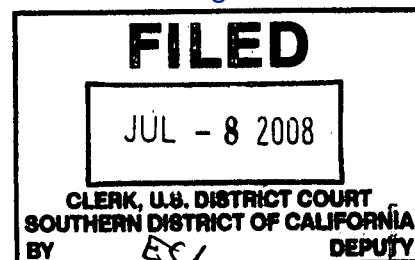


Edward Saenz, Jr.,
PO Box 80935
San Diego, CA 92138



IN THE UNITED STATES DISTRICT COURT
FOR SOUTHERN DISTRICT OF CALIFORNIA

'08 CV 0566 WQH JMA

In re EDWARD M. SAENZ, JR.

Civ No. _____

On Writ of Habeas Corpus

Superior Court No. CD 173567

Habeas Corpus No. 19005

IN PROPRIA PERSONA /

WRIT OF HABEAS FOR
PETITON FOR REVEIEW (DE NOVO)

Defendant is parolee under Agent Williams of the Community and Parole Division of San Diego, California within the California Department of Corrections and Rehabilitation "CDCR". (i.e. Ortiz Sandoval [81 F.3d 894]; Rule 2, 28 U.S.C. §2254 advisor committee's notes).

Defendant hereby names the Secretary of the "CDCR" as a respondent, including San Diego County District Attorney, and Attorney General of the U.S. Department of Justice Michael B. McKasey. (i.e. id.; Brittingham v. United States (9th Circuit 1992) [982 F.2d 378, 379]; and In re Lureso (1992) [4 Cal.App. 4th 572, 576]

Defendant now comes before the Court in the above-entitled matter for "review" [de novo] under clause for a Writ of Habeas Corpus and it's declaration thereof, within the meaning of a "formal investigation into the facts related to his claims, allegations, and/or documentation of the findings with specificity of law or regulations, including the decision to grant or deny (considering single page, unresponsive decisions by appellate).

The defendant has been denied this "formal investigation" under the clauses of law throughout the judicial process before this higher Court, whom has the authority to grant cert. Whereas, he comes here today for consideration by submittal of DE NOVO and its declaration.

Thereby, request this Court to grant the petition for failure by lower Courts to follow the scope of the law on the merits presented beforehand, and in the furtherance of justice for the wrongs suffered by the indifference of the judicial system, thus allowing others the right passage of the Constitution and not him, creating a prejudicial mean. It is important to recognize that the defendant attempts to ascertain his claims pursuant to his petition in lieu of the Appellate inappropriate method, and once again, stands on the merits of claims submitted are valid and upheld by California Court(s). Thereby, leaving the defendant helpless and without cause.

The defendant's petition is primarily geared at the removal of the sex-offender registration as indication herein. It is unconstitutional and thereby remanded to the san Diego County superior Court for removal.

CR

Additionally, defendant is not challenging a custody, but rather the incomppliance of the equal protection act, thus violating and other constitution rights as indicated therein. The defendants has complied with the court's ruling upon this filing of the THIRD Amended petition.

Thus, granting the issuance of the defendant's "Writ" and ordering compliance with the sentencing Court to correct and provide an "amended" Abstract of Judgment (AoJ) would be a great advantage to all participants.

Also, the defendant moves that the Court will adequately and effectively provide a "review" and include the necessary motion and documentation fro the defendant to move forward (if necessary). Otherwise the defendant is without remedy save by his "Writ".

Further, the Court should not be judging by "external" standard, but rather "true" standard. This is clearly outlined within the previous motion. This is an injustice to the defendant and the citizen's of the United States.

No matter the outcome, HOFSCHEIER and most recently STOW (i.e., O'Connor, etc.; and others alike) whom had sex with a minor had be relieved of their registration requirement, thus affording the defendant and others the opportunity of the same. However, the defendant is placed in "another" category and denied his Constitutional right.

This declaration is submitted in conjunction with previous motion and document-ation to provide a sound judgment of granting a cert for the Court for the purpose of having the lifetime sex-offender "registry" removed from me and its declaration of its unconstitutionality, thus granting petition with immediate action to the State of California and its official's.

I Edward Saenz, Jr., declare under the penalty of perjury the foregoing is true and correct, and this declaration was executed n this 7th day of July, 2008, in San Diego, California.

Respectfully submitted,


EDWARD M. SAENZ, JR.